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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,607	07/26/2001	Rodney D. Cambridge	NETAP014	8717
28875	7590	08/18/2006	EXAMINER	
Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120			SCHUBERT, KEVIN R	
			ART UNIT	PAPER NUMBER
			2137	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/916,607	<b>Applicant(s)</b> CAMBRIDGE, RODNEY D.	
	<b>Examiner</b> Kevin Schubert	<b>Art Unit</b> 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,6,10,14-16,19,20,24-26,29,31 and 33-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-6,10,14-16,19-20,24-26,29,31,33-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

Claims 1,3,5-6,10,14-16,19-20,24-26,29,31, and 33-38 have been considered.

#### ***Claim Rejections - 35 USC § 103***

5           The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10           (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15           Claims 1,3,5-6,10,15-16,19-20,25-26, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doub, U.S. Patent No. 6,594,762, in view of Applicant's Admitted Prior Art (hereafter AAPA), Specification pages 2-3, in further view of Lin, U.S. Patent No. 6,326,891, in further view of Vance, U.S. Patent No. 5,345,383.

20           As per claims 1,10,16,20, and 26, the applicant discloses a security system comprising the following limitations which are met by Doub, AAPA, Lin, and Vance:

          a) a Bluetooth-enabled control unit having a range of communications (Doub: Col 3, line 19 to Col 4, line 63; AAPA: Pages 2-3);

25           b) a Bluetooth-enabled device, wherein the device is registered with the control unit such that the device cooperates with the control unit using Bluetooth communications to determine when the device is within range of communications of the control unit, wherein when it is determined that the device is within the range of communications of the control unit, the device is functional, and when it is determined that the device is not within the range of communications of the control unit, the device is at least partially non-functional (Doub: Col 3, line 19 to Col 4, line 63);

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c) wherein the device is configured to periodically send an identifying signal to the control unit and the control unit is configured to send a return signal to the device when the identifying signal is received by the control unit (Doub: Col 3, line 19 to Col 4, line 63);

5 d) wherein when the device is at least partially non-functional in a situation where it is determined that the device is not within the range of communications of the control unit, the device is configured to continue periodically sending the identifying signal to the control unit (Doub: Col 3, line 19 to Col 4, line 63);

e) wherein the control unit is configured to produce an alert when it is determined that the device is not within the range of communications of the control unit (Doub: Col 3, line 19 to Col 4, line 63; Lin: 10 Col 3, line 38-41);

f) wherein the control unit includes a control unit display, the control unit display being configured to display information associated with the device when it is determined that the device is not within the range of communications of the control unit (Lin: Col 3, lines 38-41);

15 g) wherein the device includes a device display, the device display being configured to display information associated with the control unit when it is determined that the device is not within the range of communications of the control unit (Vance: Col 6, lines 29-34);

h) wherein the device is configured to periodically send the identifying signal utilizing a period of time which is configured based on movements of an owner (Doub: Col 3, line 19 to Col 4, line 63);

20 Doub discloses a security system with a control unit and a device which teaches limitations of the above claim. However, Doub fails to disclose that the control unit and device communicate via Bluetooth communication. AAPA discloses that Bluetooth communication is known in the art and that Bluetooth provides a number of advantages such as ensuring security of signals that are transmitted, providing protection from interference, etc (Specification: page 2, lines 7-15). It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of AAPA with those of 25 Doub and use Bluetooth communication for at least the reason that it ensures security of signals that are transmitted and it provides protection from interference.

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Doub in view of AAPA appear to be silent as to whether the control unit displays information associated with the device. Lin discloses displaying information associated with a device. Particularly, Lin discloses that a display may include LEDs which, depending on their brightness or darkness, indicate whether or not a device is within a range. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Lin with those of Doub in view of AAPA and display information associated with a device because doing so provides a further means to alert and inform whether or not a device is within a range.

Doub in view of AAPA in further view of Lin fail to disclose that the device displays information associated with the control unit. Vance discloses the idea that a device may have an indicator light which indicates when it is out of range with another device. Combining the ideas of Vance with those of Doub in view of AAPA in further view of Lin allows a means, such as an indicator light, to notify a user that he is out of range. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Vance with those of Doub in view of AAPA in further view of Lin because doing so provides a further means to alert and inform whether or not a device is within a range.

As per claims 3,5-6,15,19, and 38, the applicant describes the security system according to claims 1,10, and 16, which are met by Doub in view of AAPA in further view of Lin in further view of Vance, with the following limitation which is met by Doub:

Wherein the device includes a lockout interface, wherein when the device does not receive the return signal in response to the identifying signal, the device is not within the range of communications of the control unit and the lockout interface locks out the device and causes the device to be at least partially non-functional (Doub: Col 3, line 19 to Col 4, line 63).

As per claim 25, the applicant describes the first device according to claim 20, which is met by Doub in view of AAPA in further view of Lin in further view of Vance, with the following limitation which is met by AAPA:

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Wherein the Bluetooth-enabled mechanism is a Bluetooth-enabled radio (AAPA: Specification, pages 2-3).

Claims 1,3,5-6,10,15-16,19-20,25-26, and 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doub, U.S. Patent No. 6,594,762, in view of Applicant's Admitted Prior Art (hereafter AAPA), Specification pages 2-3, in further view of Lin, U.S. Patent No. 6,326,891, in further view of Henrie, U.S. Patent No. 6,804,699.

As per claims 1,3,5-6,10,15-16,19-20,25-26, and 34-38, the applicant discloses a security system comprising the following limitations which are met by Doub, AAPA, Lin, and Henrie:

a) a Bluetooth-enabled control unit having a range of communications (Doub: Col 3, line 19 to Col 4, line 63; AAPA: Pages 2-3);

b) a Bluetooth-enabled device, wherein the device is registered with the control unit such that the device cooperates with the control unit using Bluetooth communications to determine when the device is within range of communications of the control unit, wherein when it is determined that the device is within the range of communications of the control unit, the device is functional, and when it is determined that the device is not within the range of communications of the control unit, the device is at least partially non-functional (Doub: Col 3, line 19 to Col 4, line 63);

c) wherein the device is configured to periodically send an identifying signal to the control unit and the control unit is configured to send a return signal to the device when the identifying signal is received by the control unit (Doub: Col 3, line 19 to Col 4, line 63);

d) wherein when the device is at least partially non-functional in a situation where it is determined that the device is not within the range of communications of the control unit, the device is configured to continue periodically sending the identifying signal to the control unit (Doub: Col 3, line 19 to Col 4, line 63);

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e) wherein the control unit is configured to produce an alert when it is determined that the device is not within the range of communications of the control unit (Doub: Col 3, line 19 to Col 4, line 63; Lin: Col 3, line 38-41);

5 f) wherein the control unit includes a control unit display, the control unit display being configured to display information associated with the device when it is determined that the device is not within the range of communications of the control unit (Lin: Col 3, lines 38-41);

g) wherein the device includes a device display, the device display being configured to display information associated with the control unit when it is determined that the device is not within the range of communications of the control unit (Henrie: Col 12, lines 8-16);

10 h) wherein the device is configured to periodically send the identifying signal utilizing a period of time which is configured based on movements of an owner (Doub: Col 3, line 19 to Col 4, line 63);

Doub discloses a security system with a control unit and a device which teaches limitations of the above claim. However, Doub fails to disclose that the control unit and device communicate via Bluetooth communication. AAPA discloses that Bluetooth communication is known in the art and that Bluetooth  
15 provides a number of advantages such as ensuring security of signals that are transmitted, providing protection from interference, etc (Specification: page 2, lines 7-5). It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of AAPA with those of Doub and use Bluetooth communication for at least the reason that it ensures security of signals that are transmitted and it provides protection from interference.

20 Doub in view of AAPA appear to be silent as to whether the control unit displays information associated with the device. Lin discloses displaying information associated with a device. Particularly, Lin discloses that a display may include LEDs which, depending on their brightness or darkness, indicate whether or not a device is within a range. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Lin with those of Doub in view of AAPA and  
25 display information associated with a device because doing so provides a further means to alert and inform whether or not a device is within a range.

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Doub in view of AAPA in further view of Lin fail to disclose that the device displays information associated with the control unit. Henrie discloses the idea that a device may display information such as an authorized owner or user when a device is in a disabled mode as regulated by a control unit. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Henrie with those of Doub in view of AAPA in further view of Lin because doing so provides a means to inform a recipient of the authorized owner or user of the device which may be advantageous, for example, when a device is lost, stolen, or misplaced.

Claims 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doub in view of AAPA in further view of Lin in further view of Henrie in further view of Parker, U.S. Patent Application No. 2002/0078393.

As per claims 14 and 24, the applicant describes the method of claims 10 and 20, which are met by Doub in view of AAPA in further view of Lin in further view of Henrie, with the following limitation which is met by Parker:

Displaying information on the first Bluetooth-enabled device display of the first Bluetooth-enabled device which indicates that the first Bluetooth-enabled device is locked out (Parker: [0007]);

Doub in view of AAPA in further view of Lin in further view of Henrie disclose displaying information on a screen when a device is locked out (Henrie: Col 12, lines 8-12). Henrie, however, fails to disclose that the information indicates that the device is locked out. Parker discloses the ideas of displaying a message on the screen to alert a user that the device is locked out. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Parker with those of Doub in view of AAPA in further view of Lin in further view of Henrie because displaying a lock out message on a device screen provides a means to inform the user that the device is locked out.



5 As per claims 29,31, and 33, Applicant presents substantially the same limitations as that of claim 1 with the exception that WiFi communication is employed instead of Bluetooth. Examiner submits the same grounds of rejection as those outlined in the rejection of claim 1 (see above). Further, Lenz teaches use of WiFi Communication as a known and suitable form of communication. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Lenz with those of Doub in view of Lin in further view of Vance and use WiFi communication because WiFi provides a suitable and efficient means of wireless communication.

Claims 29,31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doub in  
view of Lenz, U.S. Patent Application Publication No. 2001/0053947, in further view of Lin in further view  
15 of Henrie.

As per claims 29,31, and 33, Applicant presents substantially the same limitations as that of claim 1 with the exception that WiFi communication is employed instead of Bluetooth. Examiner submits the same grounds of rejection as those outlined in the rejection of claim 1 (see above). Further, Lenz teaches use of WiFi Communication as a known and suitable form of communication. It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Lenz with those of Doub in view of Lin in further view of Henrie and use WiFi communication because WiFi provides a suitable and efficient means of wireless communication.

25 *Response to Arguments*

Applicant's arguments with respect to claim 1 have been fully considered, but they are not persuasive. More specifically, Applicant presents the following arguments:

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1) Lin does not teach "displaying information" as claimed in part f

2) Doub does not teach newly amended part h

Regarding 1), Applicant argues that Lin does not teach "displaying information" as claimed in part  
5 f because Lin merely teaches lighting an LED to indicate when a device is outside of a security range. As  
taught by Lin, a display unit may contain 4 LEDs that represent four separate devices. When one of the  
four devices is located within a security range, the related LED is darkened. Otherwise, the related LED  
is lightened (Lin: Col 3, lines 38-41). Thus, the 4 LEDs in Lin may be used to indicate when a device is  
within or outside a security range.

10 Applicant's argument turns on whether the 4 LEDs display information. As alleged by Applicant,  
the 4 LEDs display no information. In contrast, Examiner notes that Lin teaches that the 4 LEDs are used  
to *indicate when a device is within a security range (darkened) or outside a security range (lightened)*.  
Thus, Examiner respectfully submits that the 4 LEDs display information. Accordingly, Applicant's  
argument is not persuasive.

15 With regards to Applicant's argument regarding the Vance reference, Examiner notes that the  
same rationale applies. Further, Examiner notes that a rejection of independent claim 1 does not require  
the Vance reference (action mailed 4/10/06, page 5 lines 7-10).

Regarding 2), Applicant argues that Doub does not teach newly amended part h. More  
specifically, Applicant has amended claim 1 to require that "the device is configured to periodically send  
20 the identifying signal utilizing a period of time which is configured based on movements of an owner".  
Applicant does not contest that Doub teaches a device that is configured to periodically send the  
identifying signal. Applicant's argument turns on whether the identifying signal is sent *utilizing a period of  
time which is configured based on movements of an owner*.

Doub teaches a handheld security system comprising a control unit and a device. The system  
25 seeks to maintain security based on **movements of an authorized user**. This is accomplished by  
transmitting an identifying signal between a control unit and a device. When the authorized user has

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moved too far (and thus outside a range), a device may be at least partially non-functional to maintain security while the user is outside a range (e.g. Col 1, line 47 to Col 2, line 16).

Doub further teaches that the identifying signal is sent intermittently to reduce **power consumption** (Col 3, lines 58-61). Thus, Doub has disclosed that the identifying signal is sent  
5 intermittently (e.g. every 10 seconds, every 5 minutes, etc) based on two considerations: 1) knowing the movements of a user and 2) power consumption. If knowing the movements of a user were the only factor, the identifying signal would be sent continuously. While security would certainly be enhanced, power consumption would suffer. If power consumption were the only factor, the identifying signal would never be sent. While power consumption would certainly be enhanced, the movements of the user would  
10 not be known and security would suffer. Thus, Doub teaches sending the identifying signal intermittently (utilizing a period of time) which is configured based on the two considerations of movements of an authorized user and power consumption. Accordingly, part h is satisfied by Doub.

Applicant's argument with respect to claim 6 have been fully considered, but they are not  
15 persuasive. Specifically, Applicant argues that Doub does not teach that the device is exclusively registered with the control unit. Examiner respectfully disagrees. Doub clearly and expressly teaches a handheld security system which is maintained between "an electronic device and a remote device" (abstract line 1). The entire disclosure relates to a system in which one device is controlled by one control unit (e.g. Col 1, line 46 to Col 2, line 16; Fig 1). Not only is there no disclosure that a device is  
20 registered with more than one control unit, such teaching would appear to be logically inconsistent with Doub as Doub's control unit would be inoperable to control the device if the device were, as alleged by Applicant, registered with other control units seeking to control the device.

Based at least on the foregoing, Examiner submits that Doub's device is exclusively registered with the control unit. If Applicant continues to present this argument, Examiner respectfully requests that  
25 Applicant identify which passage in Doub Applicant relies on to support his argument that one of ordinary skill in the art would reasonably understand that the device in Doub is not exclusively registered with the control unit.

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**Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

5           A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of  
10 the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 7:30-6:00.

15           If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status  
20 information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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KS

  
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